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Security Council

Fifty-second Year

Provisional

3745th Meeting

Wednesday, 5 March 1997, 3.50 p.m.

New York

President:	Mr. Wlosowicz	(Poland)
Members:	Chile	Mr. Somavía
	China	Mr. Qin Huasun
	Costa Rica	Mr. Berrocal Soto
	Egypt	Mr. Elaraby
	France	Mr. Ladsous
	Guinea-Bissau	Mr. Cabral
	Japan	Mr. Owada
	Kenya	Mr. Mahugu
	Portugal	Mr. Soares
	Republic of Korea	Mr. Park
	Russian Federation	Mr. Lavrov
	Sweden	Mr. Osvald
	United Kingdom of Great Britain and Northern Ireland	Sir John Weston
	United States of America	Mr. Richardson

Agenda

The situation in the occupied Arab territories

97-85191 (E)

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The meeting was called to order at 3.50 p.m.

Adoption of the agenda

The agenda was adopted.

The situation in the occupied Arab territories

The President: I should like to inform the Council that I have received letters from the representatives of Afghanistan, Algeria, Argentina, Bahrain, Bangladesh, Brazil, Canada, Colombia, Cuba, Indonesia, the Islamic Republic of Iran, Israel, Jordan, Kuwait, Lebanon, Malaysia, Morocco, the Netherlands, Norway, Oman, Pakistan, Qatar, Saudi Arabia, the Sudan, the Syrian Arab Republic, Tunisia, Turkey, the United Arab Emirates and Yemen, in which they request to be invited to participate in the discussion of the item on the Council's agenda. In conformity with the usual practice, I propose, with the consent of the Council, to invite those representatives to participate in the discussion, without the right to vote, in accordance with the relevant provisions of the Charter and rule 37 of the Council's provisional rules of procedure.

There being no objection, it is so decided.

At the invitation of the President, Mr. Peleg (Israel) took a seat at the Council table; Mr. Farhadi (Afghanistan), Mr. Baali (Algeria), Mr. Petrella (Argentina), Mr. Buallai (Bahrain), Mr. Chowdhury (Bangladesh), Mr. Amorim (Brazil), Mr. Karsgaard (Canada), Mr. García (Colombia), Mr. Nuñez Mosquera (Cuba), Mr. Wisnumurti (Indonesia), Mr. Kharrazi (Islamic Republic of Iran), Mr. Abu-Nimah (Jordan), Mr. Abulhasan (Kuwait), Mr. Moubarak (Lebanon), Mr. Hasmy (Malaysia), Mr. Snoussi (Morocco), Mr. Berteling (Netherlands), Mr. Biørn Lian (Norway), Mr. Al-Khussaiby (Oman), Mr. Kamal (Pakistan), Mr. Al Khalifa (Qatar), Mr. Al-Ahmed (Saudi Arabia), Mr. Erwa (Sudan), Mr. Wehbe (Syrian Arab Republic), Mr. Abdellah (Tunisia), Mr. Çelem (Turkey), Mr. Samhan (United Arab Emirates) and Mr. Al-Ashtal (Yemen) took the seats reserved for them at the side of the Council Chamber.

The President: I should like to inform the Council that I have received a letter dated 3 March 1997 from the Permanent Observer of Palestine to the United Nations, which will be issued as a document of the Security Council under the symbol S/1997/194 and reads as follows:

> "I have the honour to request that, in accordance with its previous practice, the Security Council invite Dr. Nasser Al-Kidwa, Permanent Observer of Palestine to the United Nations, to participate in the current debate of the Security Council with regard to the situation in the occupied Palestinian territory, including Jerusalem."

I propose, with the consent of the Council, to invite the Permanent Observer of Palestine to the United Nations to participate in the current debate in accordance with the rules of procedure and previous practice in this regard.

There being on objection, it is so decided.

At the invitation of the President, Mr. Al-Kidwa (Palestine) took a seat at the Council table.

The President: I should like to inform the Council that I have received a letter dated 3 March 1997 from the Chairman of the Committee on the Exercise of the Inalienable Rights of the Palestinian People, which reads as follows:

> "In my capacity as Chairman of the Committee on the Exercise of the Inalienable Rights of the Palestinian People, I have the honour to request that I be invited to participate in the debate on the situation in the occupied Arab territories, under rule 39 of the provisional rules of procedure of the Security Council."

On previous occasions, the Security Council has extended invitations to representatives of other United Nations bodies in connection with the consideration of matters on its agenda. In accordance with past practice in this matter, I propose that the Council extend an invitation under rule 39 of its provisional rules of procedure to His Excellency Mr. Ibra Deguène Ka.

There being no objection, it is so decided.

I should like to inform the Council that I have received a letter dated 5 March 1997 from the Permanent Representative of Indonesia to the United Nations, which reads as follows:

> "I have the honour to request that the Security Council extend an invitation under rule 39 of its provisional rules of procedure to His Excellency Ambassador Engin A. Ansay, Permanent Observer

of the Organization of the Islamic Conference to the United Nations, during the Council's discussion of the item entitled 'The situation in the occupied Arab territories'."

This letter will be issued as a document of the Security Council under the symbol S/1997/196. If I hear no objection, I shall take it that the Council agrees to extend an invitation under rule 39 to Mr. Engin A. Ansay.

There being no objection, it is so decided.

The Security Council will now begin its consideration of the item on its agenda. The Council is meeting in accordance with the understanding reached in its prior consultations, at the request of Egypt under rule 2 of the Council's provisional rules of procedure.

I should like to draw the attention of the members of the Council to the following documents: S/1997/149 and S/1997/157, letters dated 21 and 25 February 1997, respectively, from the Permanent Observer of Palestine to the United Nations addressed to the President of the Security Council; S/1997/165, letter dated 27 February 1997 from the Permanent Observer of Palestine to the United Nations addressed to the President of the Security Council; S/1997/172, letter dated 28 February 1997 from the Acting Chairman of the Committee on the Exercise of the Inalienable Rights of the Palestinian People addressed to the President of the Security Council; S/1997/175, letter dated 3 March 1997 from the Permanent Representative of Qatar to the United Nations addressed to the President of the Security Council; S/1997/177, letter dated 3 March 1997 from the Chargé d'affaires *ad interim* of the Permanent Mission of Israel to the United Nations addressed to the Secretary-General; S/1997/181, letter dated 28 February 1997 from the Permanent Representative of the Netherlands to the United Nations addressed to the Secretary-General, transmitting the text of the declaration by the Presidency on behalf of the European Union on the decision of the Israeli Government to approve construction plans for Har Homa/Jabal Abu Ghneim; and S/1997/182, identical letters dated 3 March 1997 from the Permanent Representative of Indonesia to the United Nations addressed to the Secretary-General and to the President of the Security Council.

The President: The first speaker is the representative of Palestine. I invite him to take a place at the Council table and to make his statement.

Mr. Al-Kidwa (Palestine) (*interpretation from Arabic*): Allow me first to congratulate you, Sir, on your assumption of the presidency of the Council for this month. I wish you every success in your work. Allow me also to extend my thanks to your predecessor, the Permanent Representative of Kenya, for his excellent work, in particular with regard to the item under consideration today. I would also like to take the opportunity to express our deep appreciation to all the members of the Security Council, and in particular to the Ambassador of Egypt, for the valuable meeting that we held this morning with President Yasser Arafat.

The Government of Israel, the occupying Power, decided on 26 February 1997 to build a new colonial settlement in the area of Jabal Abu Ghniem in the occupied Palestinian territories. This area is situated within the territory which Israel annexed and considers part of the extended municipal boundaries of the city of Jerusalem. This decision is illegal and in blatant violation of international humanitarian law and relevant Security Council resolutions. It provides for the building of 6,500 housing units on land that was confiscated in 1991 and 1992. This decision, which will bring approximately 25,000 new Israeli settlers into the area, will isolate areas of Arab Jerusalem from the southern part of the West Bank in pursuit of a long standing Israeli plan to build settlements around those Arab neighbourhoods and to completely isolate them from the rest of the West Bank, thus creating new facts on the ground. The Israeli Government took this decision despite the efforts of the Palestinian side to prevent it and in disregard of the advice of a number of its friends, as well as in flagrant defiance of this Council, which sought to avert the taking of such a decision and avoid its great inherent dangers.

This Israeli measure follows a series of others regarding Jerusalem that constitute a clear policy aimed at the Judaization of the city of Jerusalem and at changing its legal status and its demographic composition. These measures have included the destruction of a building belonging to an Arab association in the Old City in an attempt to confiscate the land beneath it. We raised this matter in our letter to the President of the Security Council of 27 August 1996, contained in document S/1996/699. On 23 September 1996 the Israeli authorities also opened the entrance to the tunnel in the vicinity of Al-Haram Al-Sharif, creating further changes in the nature of the city. In this instance, Israel refused, as usual, to abide by the Council's resolution 1073 (1996), which, in its first operative paragraph, called for

> "the immediate cessation and reversal of all acts which have resulted in the aggravation of the

situation, and which have negative implications for the Middle East peace process." *(res. 1073 (1996), para. 1)*

This resolution has yet to be implemented.

The Israeli Government also declared, during the second week of December 1996, its intention to implement a plan for the building of a colonial settlement composed of more than 132 housing units for Jewish settlers in the heart of East Jerusalem. If implemented, this plan would place the new colonial settlement inside the original and recognized frontiers of East Jerusalem in the populated Arab quarter of Ras al-Amud, which would also overlook Al-Haram Al-Sharif and the Al-Aqsa Mosque.

The Israeli authorities are also continuing to deprive the Palestinian inhabitants of Jerusalem of their natural and inherited right to live in their city as did their ancestors. Israel treats them like foreigners and has pursued all kinds of illegal manoeuvers and measures to deprive them of their right of residence. This includes, for example, its attempts to enforce this measure on all who are living temporarily outside Jerusalem or who have acquired a second citizenship.

Furthermore, Israel has long enforced the isolation of East Jerusalem from the rest of the occupied Palestinian territories and kept the Palestinian people out of the city, despite the fact that it is their economic, cultural and religious centre. This constitutes yet another Israeli attempt to impose a de facto situation with regard to Jerusalem. It is a blatant violation of the rights of the Palestinian people and defies the will of the international community.

All of these actions represent flagrant violations of several Security Council resolutions on the question of Jerusalem, which is of central importance to the Palestinian people, the Arab world and Islamic Ummah. Jerusalem was the first *Qiblah* and is the third Holy Sanctuary; it is of great importance to the followers of the three heavenly religions and to the whole international community. The Security Council's relevant resolutions, including resolutions 252 (1968), 271 (1969), 298 (1971), 478 (1980) and 672 (1990), clearly affirm that any action or measure taken by Israel to alter the legal status and the demographic composition of the city is null and void and has no legal validity. These resolutions also call upon Israel to cease all such actions and measures. The international community has categorically rejected Israel's positions on Jerusalem and has always affirmed that East Jerusalem is part of the territories occupied since 1967. Furthermore, it has never recognized Israeli sovereignty over West Jerusalem. We call upon the international community to defend and uphold its decision and to compel Israel to cease ignoring these decisions and violating international law.

The Israeli violations in Jerusalem come in the context of the resumption by this Israeli Government of its colonial settlement campaign in the occupied Palestinian territories. The Government has taken a number of decisions and actions resulting in actual construction in many places. In several letters addressed to the Council, we have drawn attention to this matter and to the extremely dangerous situation it produces. Once again, this general Israeli policy, which has been confirmed by the guidelines of the present Israeli Government, clearly and grossly violates the Fourth Geneva Convention of 1949, which this Council has repeatedly validated in many of its resolutions — 24, to be exact — reaffirming its applicability to all territories occupied since 1967, including Jerusalem. The policy also violates several Security Council resolutions dealing specifically with settlements, including resolutions 446 (1979), 452 (1979) and 465 (1980). We once again reaffirm the illegality of the colonial settlements and reject any attempt by the Israeli Government to make a distinction between old and new settlements. We also reject all the ramifications of the new construction, including Israel's confiscation of additional land, the establishment of bypass roads, the theft of water and the confiscation of our natural resources.

The historical shift that followed the signing of the Declaration of Principles in 1993 and of the Interim Agreement on the West Bank and Gaza Strip in 1995 between the Government of Israel and the Palestine Liberation Organization has resulted in positive changes in the Middle East region. The benefits of peace began to appear on the horizon for the peoples of the Middle East in particular, and for the whole world in general. Unfortunately, this Israeli Government began to pursue policies that ran counter to the spirit and the logic of the peace process and began to take decisions and actions that were in gross violation of the agreements reached. Such policies, measures and actions are aimed at continuing to alter the situation and the status of the city of Jerusalem and to continue the colonial-settlement campaign in the occupied territories. It was agreed in the Declaration of Principles that the issue of Jerusalem and the settlements, *inter alia*, would be negotiated in the final stage. This naturally implies that all parties should create no new facts on the ground that would pre-empt the negotiations and render them useless. If the peace process is to

continue and succeed, these Israeli policies and actions cannot continue; such policies and actions would guarantee the destruction of the peace process.

The Government of Israel must understand that it is impossible to return to its the practices and behaviour of occupation without creating dangerous repercussions. It must also understand that it is impossible to continue occupying and confiscating land and to pursue the peace process at the same time, and that it is impossible to occupy and claim sole ownership of the city of Jerusalem if it is to establish and maintain peaceful and natural relations with its neighbours and the world. The city of Jerusalem does not accept Israel's exclusive ownership, and there will be no peace in the region without the attainment of Palestinian and Arab rights in the Holy City.

The General Assembly ended the deliberations of its fifty-first session with a clear position regarding all issues related to the question of Palestine and the situation in the Middle East, including Jerusalem and the question of settlements. The General Assembly adopted 19 resolutions on Palestine by an overwhelming majority, which is a genuine reflection of the position of the international community. We believe that the Security Council must take this into consideration.

Israel, the occupying Power, must cease construction on the colonial settlement in Jabal Abu Ghneim and promptly cease all settlement activities and confiscation of land, as well as any actions that would change the facts on the ground, especially in occupied East Jerusalem. Further, we believe that the Security Council must take the necessary action by adopting a clear resolution in order to guarantee respect for its relevant resolutions and for international law and to save the peace process. Such goals fall within the Council's responsibility to preserve international peace and security, in accordance with the provisions of the United Nations Charter. Since the start of the peace process, in accordance with its duties and responsibilities, the Security Council has intervened on several occasions to save this process and provide clear support to its sponsors. We appreciate the Council's position and hope that it will be able to play this role once again. We look forward to the establishment of a just, comprehensive and lasting peace in the Middle East region. When that comes about, we will all be able to stop coming to this Council to discuss this issue and to request that actions be taken.

The President: I thank the Permanent Observer of Palestine to the United Nations for his kind words addressed to me.

The next speaker is the representative of Israel, on whom I now call.

Mr. Peleg (Israel): At the outset, I wish to congratulate you, Sir, on your assumption of the presidency of the Security Council for the month of March. I would also like to congratulate your predecessor, Ambassador Mahugu of Kenya, for the very able manner in which he conducted the affairs of the Council.

Jerusalem has been the capital of the State of Israel since its rebirth in 1948 and the seat of Jewish Government since King David established it as the centre of Jewish national life some 3,000 years ago. Jerusalem's centrality to Judaism transcends geographical boundaries. Three times a day, Jews at prayer around the world turn to face Jerusalem. For 3,000 years, the thoughts, hopes and prayers of the entire Jewish people have been focused on Jerusalem. Indeed, the Bible mentions the name Jerusalem 657 times.

Jerusalem is a city comprising many different religious groups and has been a source of inspiration for Christians and Muslims around the world.

I am a native of Jerusalem. I am of the generation that remembers the divided Jerusalem that existed prior to 1967. I remember the walls, and I remember the barbed wire that divided my home city. Since 1967, I am proud to say, Jerusalem has been reunited; it is an open city where freedom of worship is extended to all faiths.

Jerusalem today is Israel's largest city, home to 578,000 residents. Of these, 411,900, or 71.2 per cent, are Jewish and 166,900, or 28.2 per cent, are non-Jewish. Since 1984, Jerusalem's population has grown 30 per cent, and estimates show that by the year 2000, Jerusalem's population will be greater than 650,000.

Jerusalem is a vibrant, vital city where old sits astride new and the modern and traditional worlds converge. Jerusalem, like any other modern city, has specific needs, such as development and modernization, and municipal services must be extended to all its citizens.

On 26 February this year, the Government of Israel unanimously approved construction in Har Homa and in

10 predominantly Arab neighbourhoods throughout Jerusalem. The new neighbourhood of Har Homa will eventually consist of 6,500 housing units, 2,500 of which will be built during the first stage of construction. The neighbourhood will be located in an unpopulated area in southern Jerusalem, within the city's municipal boundaries. Seventy-five per cent of the land necessary for the Har Homa project is owned by individual Jews.

This project is an essential part of a comprehensive municipal plan to construct 20,000 new housing units for the city's Jewish residents and 8,500 for the city's Arab residents — a ratio comparable to that of the Jewish and Arab populations in the city. Concurrent with the construction of Har Homa, infrastructure work designed to construct 3,000 housing units in 10 predominantly Arab neighbourhoods in the city will begin. This construction will take place in Beit Safafa, Arav a-Swakharra, Jebel Mukhbar, Silwan, Ras al-Amud, Abu Tor, A-Tor, Asaviya, Aswani and A-Sheikh.

The purpose of this comprehensive project is to alleviate the shortage of housing for both Jewish and Arab residents of Jerusalem. Allow me to quote the Prime Minister of Israel, Mr. Benjamin Netanyahu, who said,

> "We are as committed to the Arab residents of Jerusalem as we are to providing for the Jewish residents. They, too, need housing and we will build, adapting the building plans to the needs of both populations."

Regrettably, some speakers fail to differentiate between the issue of Jerusalem and its neighbourhoods and the issue of settlements in the West Bank and the Gaza Strip. Both of these issues are to be negotiated separately — I repeat, separately — within the context of the permanent status negotiations.

The coming years will be crucial ones for the Arab-Israeli peace process. During this time, it is upon the international community to exhibit restraint, understanding and trust in the determination of Israel and its neighbours to advance the peace process. Moreover, the international community must avoid damaging the sensitive negotiations by predetermining and prejudging their outcome.

I regret that once again the Security Council sees fit to discuss issues of contention between Israel and the Palestinians. The very appeal by the Palestine Liberation Organization (PLO) to the Security Council is inconsistent with its explicit agreement to settle all issues under dispute through negotiations. This commitment is outlined by PLO Chairman Yasser Arafat in his letter to the late Prime Minister of Israel, Yitzhak Rabin, dated 9 September 1993. The Chairman wrote that

> "the PLO commits itself to the Middle East peace process and to a peaceful resolution of the conflict between the two sides and declares that all outstanding issues relating to the permanent status will be resolved through negotiations."

This commitment is reiterated in both the Declaration of Principles of 13 September 1993 and the Interim Agreement of 28 September 1995, which refer issues under dispute to the appropriate mechanisms of coordination, cooperation and conciliation between the parties without the involvement of outside parties.

Israel and the Palestinians are currently making progress in the process of negotiation and reconciliation. The peace process, based on the principle of reciprocity, has thus far succeeded in establishing a new *modus vivendi* between our two peoples. The most recent expression of this peace process was the Hebron protocol and the establishment of timetables for the resumption of negotiation of the permanent status and the further redeployment of Israel's defence forces in the West Bank.

In the agreement between the two sides, Israel and the Palestinians agreed that the Palestinian autonomy authorities have no powers or responsibility in Jerusalem. Accordingly, their offices and institutions are to be located only in those areas in which the Palestinian autonomy enjoys territorial authority — namely, outside Jerusalem. It was explicitly agreed that the authority of the Palestinian autonomy would extend over the West Bank and Gaza, to the exclusion of those issues to be discussed in the permanent status negotiations, including Jerusalem.

In agreeing that the issue of Jerusalem is to be part of the permanent status negotiations, the parties recognized Jerusalem as a separate issue which does not constitute a part of the agreed arrangement for redeployment and transfer of authorities in the West Bank and the Gaza Strip. Life in Jerusalem, and all this entails, continues, with the status of the city remaining unchanged so long as no decision to the contrary is taken in the permanent status negotiations.

Therefore, the approval of building plans within Jerusalem, or the implementation of any construction

work, does not constitute a change in the status of Jerusalem; neither does it create a situation which can adversely affect or influence the permanent status negotiations. In any event, the existing agreements do not accord the Palestinians any standing with regard to any actions taken in Jerusalem, and Israel is under no obligation to coordinate such actions with them or to consult with them.

Jerusalem is currently in the midst of an unprecedented surge of planning and development, addressing the needs of all the city's residents. The Government of Israel is committed to the continued development and growth of Jerusalem for the benefit of all of its residents.

It is written in the Book of Zechariah,

> "Thus saith the Lord: I am returned unto Zion and will dwell in the midst of Jerusalem ... There shall yet old men and old women dwell in the streets of Jerusalem ... And the streets of the city shall be full of boys and girls playing in the streets thereof." (*The Holy Bible, Zechariah 8:3-5*)

Let us turn this prophecy into a reality.

The President: I thank the representative of Israel for his kind words addressed to me.

Mr. Elaraby (Egypt) (*interpretation from Arabic*): At the outset, it gives me great pleasure to congratulate you, Sir, on your assumption of the presidency of the Council. I am confident that you will conduct the work of the Council with great wisdom and professionalism. I would also like to extend to the Permanent Representative of Kenya our thanks for what he achieved last month.

The Security Council is seized today of a very important question related to the future of the peace process in the Middle East. Israeli settlement activity constitutes one of the most complicated questions in the Arab-Israeli conflict. It becomes more sensitive and complicated when it relates to the city of Al-Quds Al-Sharif — Jerusalem — which has a unique political status and represents the spiritual patrimony of three religions and is closely linked to deep religious feelings in the Islamic world.

The decision adopted by the Israeli Government on 26 February to build housing units in Jabal Abu Ghneim in East Jerusalem should be discussed within the context of past Security Council positions and resolutions. The delegation of Egypt would like to recall the Security Council meeting held on 12 May 1995, during which it discussed Israel's confiscation of Arab lands in East Jerusalem, lands adjacent to those on which the Israeli Government has decided to build housing units in Jabal Abu Ghneim.

While the previous Israeli Government responded positively to the will of the international community after its expression of concern for the peace process, and did not take the steps it had intended to take concerning the confiscation of these lands, unfortunately, to the contrary, the present Israeli Government did not hesitate to decide to confiscate lands without any regard for the repercussions of such a decision on the peace process.

The international community, as represented in the organs of the United Nations, has more than once stood up very decisively to the illegitimate Israeli measures aimed at annexing East Jerusalem, whether by changing the legal status of the city, by changing its demographic composition or even by changing its geographical nature. These attempts by Israel should not obscure the following facts.

The first fact is that the city of East Jerusalem, like all other lands and towns in the West Bank and the Gaza Strip, is part and parcel of these lands. These lands were acquired by Israel by force in the war of 1967. Such an occupation does not acquire any legality with the passage of time. According to international law, lands that have been occupied by force have to be vacated. The international community should not recognize such an occupation, but should rather apply the principles and doctrines for which the foundations were laid long ago.

The second fact is that those Arab lands, including East Jerusalem, are governed by the Hague Rules of 1907 and the Fourth Geneva Convention of 1949 relative to the Protection of Civilian Persons in Time of War. This has been confirmed by the General Assembly in all its relevant resolutions, the last of which related to the applicability of the Geneva Convention to occupied Arab lands and was adopted during the last session of the General Assembly. This makes it necessary for Israel, being the occupying Power, not to undertake any change in these lands.

The third fact is that the Security Council has adopted many resolutions calling upon Israel to respect its obligations as the occupying Power. The representative of Palestine referred to them: resolutions 252 (1968), 271

(1969), 476 (1980), and 672 (1990). The most important of this set of resolutions is resolution 478 (1980), which states that

> "all legislative and administrative measures and actions taken by Israel, the occupying Power, which have altered or purport to alter the character and status of the Holy City of Jerusalem, and in particular the recent 'basic law' on Jerusalem, are null and void". *(resolution 478 (1980), para. 3).*

Respect for Security Council resolutions on the question of Jerusalem represents one of the basic requirements for the success of the peace process in the Middle East. There is no doubt that any disregard for the position of the international community on this sensitive question would deal an abortive blow to the peace process and bring it to a sad end. As the Council knows, many parties, including large sectors of the Israeli population, have made great efforts for it to succeed. Nor is there any doubt that if the Council is silent about this, certain questions will be raised concerning its resolutions.

The fourth fact is the bilateral agreements signed by Israel and the Palestinian National Authority and the implementation protocols make it binding on both parts not to take any measures that deal an abortive blow or prejudge the results of the negotiations on the questions of final status, which as we know include Jerusalem, refugees, settlements, borders and security arrangements. There is a clear, uncontroversial text contained in chapter five of the Interim Agreement signed by both the Palestinian and Israeli parties in Washington in September 1995:

(spoke in English)

> "Neither side shall initiate or take any step that will change the status of the West Bank and the Gaza Strip pending the outcome of the permanent status negotiations." *(Interim Agreement on the West Bank and the Gaza Strip, article XXXI, para. 7)*

(spoke in Arabic)

This text represents a restriction accepted by Israel, and Israel must abide by this restriction that prevents Israel from undertaking any change — I repeat, any change — in the occupied Arab territories, including East Jerusalem.

Pacta sunt servandam — respect for contractual obligations: this is the basis of the current world order. Respect for that principle means, as set out in article 26 of the Vienna Convention on the Law of Treaties, that

> "every treaty in force is binding upon the parties to it and must be performed by them in good faith". *(United Nations Treaty Series, vol. 1155)*

All parties, including the Security Council, must take that legal principle into consideration when addressing this very important question. Any violation of that principle anywhere in the world, and in relation to any conflict, reduces the credibility of the party that violates it, and creates loopholes that undermine the international order.

The Security Council, under its Charter obligations, must therefore stand against any attempt to avoid international obligations, particularly when such an attempt has a direct effect on the maintenance of international peace.

Israel must cease its policy of building settlements. Apart from its being a violation of international law, this policy can only strengthen extremism and confrontation and weaken those who support moderation and dialogue. Countries concerned with the success of the peace process — in particular the United States of America, whose great efforts as a sponsor of the peace process are recognized by all — must shoulder their responsibility to point out to the Government of Israel the extremely negative effects of its policies. Israel should not implement this policy, in order to show that it is serious about the peace process and about not allowing that process to fail.

Egypt hopes that the Security Council will be able today to adopt whatever decision is necessary to protect peace in the Middle East, which is directly threatened by these Israeli measures. This relates to the Council's position on Israeli policy in the occupied Arab territories in general, and in East Jerusalem in particular.

The President: I thank the representative of Egypt for the kind words he addressed to me.

Mr. Ladsous (France) (*interpretation from French*): The Security Council is meeting, as it has done several times over the past 12 months, to discuss a situation that endangers the Middle East peace process, and to reaffirm its wish for that process to continue on the basis of the agreements entered into by the parties.

The implementation of the Oslo agreement made it possible to establish a lasting peace between Israelis and Palestinians. Only a short time ago, that goal might have seemed unreachable. Thanks to the determination and will of a few individuals, dialogue and negotiation have overtaken violence and confrontation. One of those statesman, a Prime Minister of Israel, Yitzhak Rabin, paid for his commitment to peace with his life. Unfortunately, there have been other victims on both sides in the violence of recent months. This shows that the path to peace is a tortuous one, a chaotic one; it shows too how essential it is that no action or decision jeopardize this process, a process which virtually all the States of the world support.

In our view, the Israeli Government decision to authorize the establishment of a new settlement at Jabal Abu Gneim is not a step in the right direction. As we, along with our European Union partners, have said, we deeply deplore that decision, which runs counter to international law and to guarantees that have been given. While the signing of the Hebron agreement gave us hope that the peace process would regain its momentum, this decision creates new tensions on the ground and could undermine the trust which must exist between the parties and which is indispensable. In any negotiating process, it is not good for an agreement — which constitutes progress — to be followed by a retrograde measure.

The question of Jerusalem, a holy city that is sacred to three major religious, is clearly a particularly sensitive one. In the context of the peace process, the parties agreed to negotiate its status. Negotiations cannot accommodate unilateral decisions; they cannot accommodate decisions that prejudge the outcome of the discussions; nor can they accommodate decisions that alter the status quo.

Until the parties come to an agreement, East Jerusalem remains subject to the principles set out in resolution 242 (1967), including the principle of the inadmissibility of the acquisition of territory by force. Moreover, we recall that the Fourth Geneva Convention is applicable here, as well as with respect to the other occupied territories.

We therefore urge all parties to the peace process to do nothing that could complicate or slow down the process. In the present case, we earnestly hope that the Israeli authorities will understand that it is in the interest of all to abandon the planned construction and to focus entirely on the success of the forthcoming phases: the initial redeployment of Israeli forces and specific negotiations between the parties on the many issues that remain to be resolved.

Sir John Weston (United Kingdom): The international community has had to address itself to the situation in the occupied Arab territories on three occasions in recent months: the demolition of the Burj al Laqlaq centre in August 1996, the opening of the Western Wall tunnel in September, and now the announcement of the plan to undertake the construction of new housing units in the Har Homa/Jabel Abu Ghneim area of East Jerusalem. Of course, we have also witnessed many encouraging developments over the same period, notably the signature of the Hebron agreement. Nevertheless, it is worrying that we have been forced to revisit this subject so often since last summer, and in response to what appear to be increasingly serious incidents.

The issue of settlements has become central to the whole Middle East peace process. For this reason, my delegation feels it is important to reaffirm our positions of principle on settlements, positions which are endorsed by almost the entire international community. Two facts stand out: first, as the British Foreign Secretary, Malcolm Rifkind, made clear during a visit to Hebron on 3 November last year, all Israeli settlements in occupied territory are illegal under Article 49 of the Fourth Geneva Convention. This includes settlements in East Jerusalem. Secondly, settlement activities damage the peace process. Not only do they violate the spirit of the Oslo accords and the Hebron agreement, they establish facts on the ground which prejudge the final status negotiations. In particular, we cannot condone actions which unashamedly change the status of Jerusalem ahead of those negotiations.

The United Kingdom, along with the vast majority of the international community, warmly welcomed the recent agreement reached between the two parties over withdrawal from Hebron. We hoped and believed that it represented a new impetus for peace. Now the Har Homa decision risks destroying the positive atmosphere created by the Hebron agreement. Whatever Israel's position on Jerusalem, it is not in Israel's interests to set back the Palestinian track in this way.

We are struck by the wide degree of consensus across the whole international community following the Israeli decision to approve constructions at Har Homa. The shared sense of dismay ought send a clear message to the Israeli Government to rethink where its current course is heading.

We have urged the Palestinian Authority to do what it can to contain reactions among its people. The strength

of Palestinian feeling on this issue is understandable, but these feelings must be expressed peacefully and responsibly. We commend them for the restraint they have shown. Reciprocity, to which the Israeli Government attaches such great importance, should argue for equal restraint on their part in taking any action which will inflame the situation. Further provocative actions at this time, such as the closure of Palestinian institutions in the absence of clear evidence that they are Palestinian Authority institutions, cannot be sensible.

Israel must bear any consequences of a decision to proceed with the construction of new settlements in East Jerusalem. It is not reasonable to ask the Council to ignore this dangerous turn of events, claiming that action by the Council would only make matters worse. On the contrary, it is the responsibility of the Council to make clear to the Israeli Government that it must exercise caution and good sense so that the situation can be restored to a more even footing.

It is not too late for the Israeli Government to suspend, or even rescind, its decision in principle to go ahead with Har Homa. There is no reason for the actual construction to start now. The previous Israeli administration postponed similar plans to build in that area, realising the danger such plans, if implemented, represented for all communities. If the Israeli Government shows signs that it is willing to change its hard-line stance, we would be willing to consider a delay to Council reaction. But if the Israelis are determined to proceed, I believe this Council will, and should, be compelled to respond.

We believe that the Israeli Government should honour its word not to build new settlements, including settlements in East Jerusalem. But this in itself is not sufficient. The Israeli Government must also halt the practice of enlarging settlement boundaries and confiscating Palestinian land. Building bypass roads to settlements can, on its own, alter the status of the occupied territories and thereby pre-empt the final-status negotiations. These roads have the effect of isolating Palestinian towns from one another. Road-building should take full account of the sensitivity of territorial issues in the West Bank, including East Jerusalem, and the possible effects on final-status talks.

The British Government has urged the Israeli Government not to proceed with its plans for a new settlement in East Jerusalem. This would only detract from the positive atmosphere created by the Hebron agreement and undermine the successful negotiation of final-status issues. The United Kingdom remains committed to the final-status negotiations as the means to a peaceful settlement. These talks are already hedged around with difficulties. Neither side should seek to complicate them further.

Mr. Soares (Portugal): The successful conclusion of the Hebron agreement had led us to believe that Israel and the Palestinians would at this moment be focusing on the timely implementation of all agreements already concluded and would by now be starting talks on the final status of the occupied territories.

Instead we are now facing an element of destabilization that risks jeopardizing the atmosphere which should prevail to enable the parties to tackle the crucial issues that remain to be addressed. I am referring, naturally, to the decision by the Israeli Government to build a new settlement in the southern part of East Jerusalem, in the Jabal Abu Ghneim area.

This decision increases the frustration felt by all those who support the peace process. Unfortunately, it also encourages, perversely, the forces that are, directly or indirectly, opposing peace.

The Israeli Government's decision constitutes a violation of numerous resolutions of the Security Council and General Assembly, and also of the Fourth Geneva Convention. The Portuguese Government regrets the decision and wishes the Israeli Government had not taken it.

We believe that this measure is inconsistent with the terms of reference upon which the peace process is based, in particular Security Council resolutions 242 (1967) and 338 (1973). We cannot accept any decisions that aim at creating facts on the ground, prejudging the outcome of the final-status negotiations. Such measures can only undermine the indispensable trust and confidence that the parties must build in order to achieve a just, comprehensive and longstanding political settlement and to establish a new relationship based on cooperation, from which all countries of the region will benefit.

Moreover, the construction or the expansion of settlements, particularly in East Jerusalem — perhaps the most sensitive and emotional issue of the entire peace process — would create additional obstacles to the accomplishment of the ultimate goals of peace and cooperation envisaged by the parties. It will also further complicate the task of those engaged in mediating or assisting the parties in the peace process.

The presidency of the European Union will also address the Council on this subject. I should like to stress that Portugal fully subscribes to its statement.

Portugal firmly believes that there is no alternative to the Middle East peace process. Therefore, we call upon the Israeli authorities to refrain from any concrete action on Jabal Abu Ghneim that would have a negative impact on that process.

The Council must be clear and firm. Our purpose is to preserve and encourage the peace process. Therefore, we must urge parties to live up to their commitments and to comply with their obligations under international law and with the agreements they have reached. No one will understand or accept it if the momentum towards peace is lost as a result of disruptive actions by any of the parties.

Mr. Qin Huasun (China) (*interpretation from Chinese*): The recent decision of the Israeli Government to build Jewish settlements in East Jerusalem has received considerable attention from the international community. The Council's holding of a formal meeting today demonstrates the seriousness of this question as well as the deep concern of the international community.

The Chinese delegation expresses its grave concern at this move by the Israeli Government. We are of the view that it is bound to place serious obstacles in the way of the Palestine-Israel peace process and to be detrimental to the Middle East peace process as a whole. We urge Israel to call off its plan to build Jewish settlements in East Jerusalem.

The Palestinian question is at the core of the situation in the Middle East. An early, just, reasonable and lasting solution to this question and the restoration of the legitimate national rights of the Palestinian people are the keys to peace, stability and development in the Middle East.

The question of Jerusalem should be settled by the parties concerned through negotiations on the basis of the relevant United Nations resolutions. Any unilateral move contrary to this approach should be avoided, since it will only further complicate the question instead of contributing to its proper settlement or to the Middle East peace process.

Peace has not come about easily in the Middle East and should therefore be deeply cherished by the parties concerned. We hope that the parties will avoid making any move that might aggravate conflicts and undermine the peace process. We encourage all positive efforts that help ease tensions, thereby creating a favourable atmosphere for the further advancement of the Middle East peace process.

The Chinese Government has consistently supported the Middle East peace process and stood for a political settlement of the Middle East question on the basis of the relevant United Nations resolutions and the principle of land for peace. We believe that achieving peace in the Middle East represents the common aspiration of the peoples of all the countries in the region, conforms with their fundamental interests and would contribute to peace and stability throughout the world.

Mr. Lavrov (Russian Federation) (*interpretation from Russian*): Moscow has learned with concern of the decision of the Government of Israel to proceed with the construction of a new residential settlement in East Jerusalem.

We share the negative response of the Palestinians, Arab and Islamic States, and the entire international community to this ill- considered and untimely step taken by Israel. Given the seriousness of the situation, Russia supported the request of a group of Arab countries for an urgent consideration of this issue at a formal meeting of the Security Council. This meeting assumes special significance since Yasser Arafat, Chairman of the Executive Committee of the Palestine Liberation Organization and President of the Palestinian National Authority, is currently in New York.

Israel's decision clouds the negotiating environment in the Middle East in general, especially on the threshold of the start in mid-March of the final-status talks. Unfortunately, all this is occurring after the agreements on Hebron opened a road to progress on the Palestinian-Israeli track based on the fulfilment of commitments undertaken by both sides.

The steps taken by Israel run counter to the Palestinian-Israeli agreements reached, since they are, factually speaking, designed to predetermine solutions to issues that require discussion during the final-status talks, the agenda for which includes the status of Jerusalem and the future of settlements. Such unilateral actions, designed to change the demographic composition of East Jerusalem in favour of the Israeli population, perpetuate the policy of *fait accompli* with respect to the Holy City and actually obviate a negotiated search for compromise on the problem of Jerusalem. All of this is at variance with

the direction of the peace process begun at the Madrid Conference.

Believers, especially Muslims, are extremely sensitive to any change in the status quo of East Jerusalem. Such changes contradict relevant Security Council resolutions and raise additional barriers to peace in the Middle East.

The efforts of the Russian co-sponsor are currently focused on energetically promoting a Palestinian-Israeli dialogue and on the resumption in a constructive spirit of the final-status talks. According to the Madrid formula, and in compliance with the letter of the Palestinian-Israeli accords, these talks must be based on Security Council resolutions 242 (1967) and 338 (1973). Accordingly, the principles set forth in these resolutions, including the inadmissibility of acquiring foreign territories by force, are applicable not only to the current situation but also to any future solution of the East Jerusalem problem. Moreover, the Palestinians' right to self-determination and statehood — and we stress this in particular — can be realized only on a basis of mutual acceptability and within the framework of the peace process.

The issue of Israeli settlements in the Palestinian territories will be stressed during the forthcoming contacts with the Israeli leaders in Moscow. We hope that the Israeli Government will find it possible to ponder all the consequences of its decision and to reconsider it.

As a co-sponsor of the peace process, Russia is convinced that the situation requires resolute action so as to avoid a relapse into tension in Palestinian-Israeli relations, as occurred last September. This, in our view, is the major motive behind today's Security Council meeting. A speedy resolution of the situation in East Jerusalem would ensure progress in the peace process and meet the interests of the Palestinians and Israelis alike, as well as the desires of the international community as a whole. We are sure that the Security Council will again declare itself in favour of this.

Mr. Osvald (Sweden): Sweden fully associates itself with the statement that will be made later in the debate by the representative of the Netherlands on behalf of the European Union.

Sweden is committed to the peace process, both politically and economically. We support the right of the Palestinians to self-determination, including their right to a State of their own. This right can be fully realized only through negotiations and only through a political process can lasting security in the Middle East be achieved. The foundations for peace are laid down in Security Council resolutions 242 (1967), 338 (1973) and 425 (1978).

The direction and timetable of the Israeli and Palestinian peace process was agreed to in the Declaration of Principles of 1993 and the Interim Agreement of 1995. The Hebron Protocol of 17 January 1997, concerning Israeli redeployment in and from Hebron and aspects on the further implementation of the Interim Agreement, constitutes an important step towards strengthening confidence between the parties.

The parties should continue to base their efforts on what has been achieved so far and refrain from measures that can threaten the peace process. In particular this applies to measures that could prejudge the outcome of the final status negotiations, including steps that would change the status of the occupied territories. Accordingly, the Government of Israel should reverse its settlement policy.

Sweden has long been deeply concerned about Israeli Government decisions and plans concerning settlements on occupied territory. The most recent decision concerns Jabal Abu Ghneim/Har Homa located on the occupied West Bank in the Jerusalem area. My Government considers that the construction of such settlements is a grave obstacle to peace, incompatible with the Declaration of Principles and in contravention of international law, notably the Fourth Geneva Convention.

The framework laid down in the Declaration of Principles between the Government of Israel and the Palestine Liberation Organization (PLO) should be the blueprint for an irreversible process. The peace efforts of the Government of Israel and the Palestinians must be brought to fruition. All parties have a formidable responsibility to see to it that this endeavour becomes reality.

Peace and stability in the region are an urgent necessity not only to the parties and the region but to the whole international community. We urge the Israeli Government to reconsider its decision on the settlements in Jabal Abu Ghneim/Har Homa and to reverse its settlement policy. This will serve the peace process, the Israeli and the Palestinian peoples, and international security.

Mr. Park (Republic of Korea): As we all know, just over a year ago the international community was full of optimism regarding the progress towards peace in the

Middle East, inspired by the success of the peaceful and democratic elections in Palestine held on 20 January 1996. Although Israeli-Palestinian relations went more or less downhill for the rest of 1996, 1997 began on a positive note with the momentous agreement to redeploy Israeli forces from Hebron. My delegation believes that this agreement holds particular significance, for it demonstrates once again that, even if differences at first appear insurmountable, those man-made differences can be overcome through dialogue between the parties directly concerned.

Now, however, a new man-made difficulty has arisen in East Jerusalem which, if not handled with adequate caution and prudence, could pose serious problems for the entire peace process. My delegation considers the recent Israeli decision to construct housing units in the southern part of East Jerusalem as a step which runs contrary not only to the relevant international conventions and Council resolutions, but also to the acceleration of the peace process, especially in light of the well-known political sensitivities associated with the city.

At this juncture, we believe that it is crucially important to prevent any weakening of the bonds of trust and cooperation that have been built between the Israelis and the Palestinians, especially following the Hebron agreement, lest the fraying of those ties jeopardize the entire peace process. This is all the more important as the final-status negotiations — one of the most critical and complex stages of the peace process — are scheduled to start soon. Clearly, neither the Israelis nor the Palestinians would benefit were the implementation of Israel's construction plans to derail the entire peace process, as already clearly evidenced through the events of last September in Jerusalem.

Furthermore, we wish to emphasize the importance of both sides' adopting a prudent and level-headed approach in the current circumstances. What has happened thus far is indeed cause for serious concern, but in no way justifies a violent response, which would only encourage extremism on both sides. In this connection, a photograph in last Friday's *New York Times*, which showed a Palestinian demonstrator holding an olive branch at the East Jerusalem housing site, conveys an important symbolic message that violence should not be a tool for solving problems.

Fully recognizing the far-reaching implications that the Middle East carries for world peace and prosperity, the Republic of Korea has consistently supported the peace process in the region and closely followed its implementation. Along with other members of the international community, we too believe that the Israelis and the Palestinians alike have a vital stake not only in continuing but in accelerating the peace process. It is therefore our sincere hope that a more fully fledged spirit of compromise and cooperation will prevail in their relations. As my delegation emphasized before the General Assembly during its debate on the situation in the Middle East last fall, we believe that difficulties in the Israeli-Palestinian relationship have often been caused by the impact of domestic politics at the international level. Solutions to these problems, therefore, can also be found domestically.

By the same token, we firmly believe that, despite setbacks, the truly impressive progress made in the peace process so far proves that Israelis and Palestinians are capable of mustering the courage, wisdom, and patience they need to overcome the current difficulties.

In conclusion, I wish to reiterate the hope of my delegation that the present tensions in East Jerusalem can be promptly defused through open-ended dialogue between the two sides, so that the Middle East peace process can once again move forward on the course laid out by the agreements freely entered into on the basis of Council resolutions 242 (1967) and 338 (1973).

Mr. Somavía (Chile) (*interpretation from Spanish*): For many, the Middle East conflict has been an integral part of the cultural baggage of today's society. Over time, we have come to associate this region with hatred and violence and to believe that little can be done to avoid this.

Nonetheless, events have proven those who think this way to be wrong and that, with political will and a sense of history, one could move towards initial solutions that would pave the way to a new era. This has been the inspiration of leaders of great moral stature, committed to their peoples and guided by bold politics.

Over the past few years, the world has watched as vital steps have been taken towards the establishment of lasting peace and security for all in the Middle East region. The Madrid Conference and the Oslo accords, which were unthinkable just a few years ago, have shown us that nothing is impossible. Rarely have international agreements given rise to such hope and relief in the international community. Once again, the Government of Chile pays tribute to all those who made the start of this peace process possible, and in particular Yitzhak Rabin

and Yassar Arafat, who were honoured with the Nobel Peace Prize for their contributions.

This has not been an easy process, however. Many obstacles have emerged along the way and many more will certainly surface. But that is not what is of concern to us; it is not the most difficult aspect of the issue. History shows that complex processes have always been rife with great difficulties. Nonetheless, from the barbaric acts of terrorism of last April, the closing of the borders and the bombardment of Lebanon, to the latest elections in Israel and the subsequent events with which we are all familiar, it would appear that the spirit of Oslo is gradually losing ground. This, in our opinion, is the most serious difficulty.

In September, the Security Council met on an emergency basis to address the consequences of the opening of the mosque tunnel, which left more than 70 dead and hundreds wounded. At that time, Chile called for openness and a halt to the use of the tunnel. At the same time, compliance with the agreements was becoming more difficult, as was the continuation of the peace process, particularly regarding Hebron. Fortunately, in the end and at great cost, an understanding was reached that should now be fully implemented. As a result of the latest decisions taken by the Israeli Government regarding East Jerusalem, the Security Council is once again forced to take up the question of the occupied territories at today's meeting.

Jerusalem, as other speakers have said, is a holy city for several cultures and religions. It is not just any city. This is a place that sparks great sensitivities and deep emotions. A delicate and precarious balance exists that must be not only maintained but strengthened until definitive agreements are implemented. This is the policy which the international community has considered most fair and correct. In this context, Israel's annexation of East Jerusalem has never been recognized by the international community as a whole.

My country, as an integral part of this international community, recognizes the status established under resolution 242 (1967) of the Security Council as the only valid status for the occupied territories, including Jerusalem. This position has been reiterated over the years and recently in this very room, by several Foreign Ministers, including that of my own country, during the debate which took place last September. We consider East Jerusalem to be an occupied territory; consequently, we deeply deplore the approval by the Government of Israel of a plan to build 6,500 housing units in the Jabal Abu Ghneim/Har Homa sector, in the south of East Jerusalem. We believe that this decision is not only in breach of international law, as reflected by this Council's resolutions, but that it also seriously endangers the precarious stability of the region.

Indeed, the decision to proceed with these settlements touches the most sensitive nerve of the Palestinian people. These are disputed lands and this decision creates the justified perception of a policy of fait accompli aimed at maintaining total control over Jerusalem. Furthermore, this settlement virtually cuts off communications between Bethlehem and other surrounding Palestinian settlements.

The last thing Chile wants is for the Security Council to have to meet regularly on Middle East issues. What we want are negotiations and direct agreements between the parties that would make it unnecessary to hold such meetings, time and time again in the future.

For this reason, we appeal for calm and for the parties to refrain from any act of violence that might make matters even worse. Naturally, we also make a special appeal to Israel to reconsider its decision. We believe that the parties should do everything possible to advance dialogue in a framework of respect for agreements reached and for the special sensitivities in connection with Jerusalem.

The peace process, which has already come a long way, should not be halted. It is necessary to reverse the measure that has given rise to this latest dispute, and Chile is prepared to support a Security Council draft resolution in that connection.

Above all, it is necessary to restore the high-minded spirit and the conviction that only dialogue and negotiation, not unilateral actions, provide long-term security for all. We must continue forward with the process of implementing the peace agreements and secure compliance with the resolutions of the Council on this matter.

In conclusion, there are already too many standing in the shadows and trying to block peace for other, central actors to lose the spirit that made the first agreement possible and thus weaken the spirit of Oslo. Now is a time when political courage will once again show the quality of leaders. Now is a time to dare to write history, not to allow oneself to be carried away by extreme positions of groups that, though they are influential, are a minority. Chile trusts that good judgement and common sense will prevail.

Mr. Owada (Japan): The Government of Japan has been watching with great concern and anxiety the recent developments in the Middle East involving the decision made by the Government of Israel on the construction of housing at Har Homa in East Jerusalem. It is particularly unfortunate that this decision should have come in the wake of an agreement that had been reached between Israel and the Palestine Authority on Hebron, after the peace process had been halted for several months in a turbulent situation which involved the tragic assassination of Prime Minister Rabin of Israel. It was Japan's view that the agreement symbolized a step forward towards advancing the Palestinian track of the Middle East peace process.

The decision of the Government of Israel on the construction of housing at Har Homa, or, in Arabic, Jabal Abu Ghneim, coming as it did at such a juncture, must be viewed against the background of these recent developments. For this reason, the Government of Japan feels bound to state that this decision on the part of the Government of Israel is regrettable. In the view of my Government, this action would seem to run the risk of jeopardizing the basic situation concerning the occupied territory and prejudging the outcome of the final status negotiations. Furthermore, we cannot close our eyes to the fact that the Government of Israel took its decision just at a time when the Middle East peace process, particularly the Palestinian track, is at a crucial stage.

Taking into account all these factors, the Prime Minister of Japan, Mr. Ryutaro Hashimoto emphasized just one week ago, on 27 February, when Foreign Minister Levy of Israel visited Japan, that Japan regretted the decision of the Government of Israel to construct housing in East Jerusalem, as it constituted a negative factor for the peace process. The Government of Japan has since been urging the parties involved to make the utmost efforts not to allow the present situation to develop into a major obstacle to the peace process and to do their utmost to push that process further forward.

I wish to recall that on the occasion of the Security Council meeting on the situation in the occupied Arab territories on 27 September 1996, I stated the position of the Government of Japan as follows:

> "Improvements to the present situation should be carried out through a double-track approach. One task is immediate and the other a more fundamental approach to the basic issues at the root of the problem.
>
> "The immediate task on which action is required is for the parties directly involved to immediately engage in efforts to bridge the chasm of mistrust that separates them by refraining from any action which could do harm to the prospects of the peace process. It is thus essential that they devote themselves to practical confidence-building measures ... At the same time, on a more fundamental level, it is imperative that the parties directly involved intensify their efforts, in good faith and with steadfast determination, to pursue the peace process in order to restore peace throughout the region." *(S/PV.3698, Resumption 1, p. 27)*

That is exactly how the Government of Japan sees the current situation at this time. There would be little cause for optimism about progress in those negotiations unless the parties concerned addressed the outstanding issues with serious determination and in good faith.

It is out of the same concern for restoring peace in the region that Japan has been actively involving itself in the peace process in the Middle East, in particular through active participation in the multilateral talks that began with the Madrid Conference in October 1991. Japan's policy is based on its conviction that the Middle East peace process is an extremely complex and delicate process which for its success requires careful nurturing through concrete measures of cooperation by the international community to buttress the efforts to be made by the parties directly involved. Thus, my country, as a member of the steering group, as well as gavelholder of the working group on environment, has been instrumental in providing a favourable environment that will assist the direct talks among the parties concerned. Also as part of those efforts, Japan has been implementing various projects worth approximately $250 million to promote Palestinian self-rule in its initial phase after the Oslo accord. With a view to creating a new spirit of mutual confidence and of joint cooperation among the countries in the region, Japan has been calling on the countries concerned to convene a plenary meeting of the environment working group, as well as a meeting of the steering group for the multilateral talks at the earliest possible time so that the Palestinian track may proceed smoothly following the Hebron agreement.

Japan feels very strongly that it is most important, particularly at this very difficult time, for the parties directly involved to exercise self-restraint, strictly refrain from any action that would pose an obstacle to the peace process and do their utmost to bring the peace process

back on track as quickly as possible. Japan is committed to assisting them in that endeavour to the best of its ability.

There is a very real danger that the Israeli decision could lead to a crisis of confidence in which the erosion of the process of peace might result. If that should take place, the resulting mistrust and rancour among the parties could destroy the very structure for peace in the Middle East, a structure so assiduously built up over the years since Camp David, Madrid and Oslo.

My delegation sincerely hopes that the parties concerned will not lose sight at this juncture of the critical importance of overcoming small differences for the sake of promoting the cause of lasting peace and stability in the region. In any great undertaking there is always a danger that we may fail to see the forest for the trees. It is my earnest hope that all parties concerned will focus their endeavours on the forest and make their best efforts to offer the people in the region a solid ground for hope for a more peaceful and secure future.

Mr. Mahugu (Kenya): Over the last three years we have been encouraged by the progress made in the peace process in the Middle East. Kenya has been an advocate of peace in that part of the world and has supported the dialogue that has been evident between the parties.

We are concerned about any threats to the ongoing negotiations. We believe that these negotiations have proved to be fruitful so far, and we therefore call upon the parties concerned to refrain from any activities that may have the potential to undermine the peace process.

It is in that regard that we urge the parties in the Middle East to exercise restraint at this stage and to continue to negotiate on all the outstanding issues, including the permanent status of Jerusalem.

On our part, we are determined to continue to support the parties in their search for a durable, comprehensive, just and permanent peace. The people of the region — both Palestinians and Israelis — and the world at large want peace.

Mr. Berrocal Soto (Costa Rica) (*interpretation from Spanish*): In the light of the recent events in the Middle East, in particular the difficult situation resulting from the Israeli decision to build a housing project in Har Homa — a traditionally Arab area in East Jerusalem — which is the reason for the Security Council's formal meeting today, the Government of Costa Rica, in the context of its steadfast support for the peace process in that region, wishes to make the following statement.

Costa Rica, true to the traditional principles of its foreign policy, has always expressed its firm and determined support for the peace process and, in the context of its deep feelings of friendship for and solidarity with all the peoples of that region, reiterates that peace, stability and reconciliation in the Middle East should be based on faithful compliance with the Oslo accords.

Those principles will determine the positions taken by our country in the Security Council, as the Government of Costa Rica is convinced that the Oslo accords are the path to peace and that the international community has an obligation to contribute constructively to the effective conclusion of this process in a spirit of solidarity with Israel and the Palestinian National Authority.

Costa Rica therefore considers it of great importance that all parties to the peace process should act in accordance with the agreements made in Oslo, and that the implementation of the agreements should continue normally while the concrete and positive actions necessary to achieve such a goal are carried out. This will to achieve peace, which was expressed at Oslo and reaffirmed by the signing of the Hebron protocol, should be maintained at all costs, in order to overcome negative situations that impede the proper implementation of agreements.

Costa Rica believes that in the present circumstances it is of the utmost importance for the parties to begin as soon as possible the final stage of the negotiations aimed at achieving all the necessary agreements for the definition and establishment of a permanent status. This should include the matters pending with regard to settlements, refugees and the permanent status of Jerusalem.

In this connection, our country wishes to take this opportunity to reiterate its stance of full and unconditional support and respect for all the consensual agreements that may be undertaken during this final stage by Israel and the Palestinian National Authority with regard to the matters pending, including the status of Jerusalem and the other matters addressed in the Oslo accord. Costa Rica has supported the recognition of all the rights of the Palestinian people since the General Assembly of the United Nations adopted resolution 181 (II) on 29 November 1947, in particular its right to establish its own

State. Costa Rica reaffirms this position and its willingness to develop full relations of friendship and cooperation with Palestine.

Costa Rica, also a friend of the State of Israel, pursues an open and constructive policy regarding the situation in the Middle East and has always supported Israel in its just demands for secure borders. Our country also believes that, unfortunately, in the current circumstances some positions taken by certain radical Israeli political factions impede the full realization of the Israeli people's legitimate desire for peace and the fulfilment of the Oslo accords. It is therefore essential to maintain the spirit of Oslo.

My country trusts that the important mediating role that the Government of the United States has undertaken and continues to carry out, along with the importance of the direct contacts between President William Clinton, Israeli Prime Minister Benjamin Netanyahu and the President of the Palestinian National Authority, Yasser Arafat, will make it possible to overcome these difficulties and create the necessary conditions to begin this last and essential stage of the negotiations.

At the same time, my country believes that it is essential to point out the important role that President Hosni Mubarak of Egypt and His Majesty King Hussein of Jordan have played in the peace efforts. Both leaders have dedicated their best efforts and national endeavours to create the proper conditions to achieve peace and a comprehensive solution to the conflicts in the Middle East.

In this context, and in full agreement with the international community, my country firmly believes that a firm and lasting peace in the Middle East should be based on a wide and comprehensive vision that should necessarily encompass all areas of disagreement. It must also include, without exception, all the Governments in the region that have some influence in the settlement of those conflicts. Otherwise, peace in that sensitive part of the world will always be precarious.

In this spirit, Costa Rica reaffirms its support for the need to maintain and respect the territorial integrity and the internationally recognized borders of Lebanon. It also underlines that a comprehensive solution to the conflict in the Middle East also requires a just and balanced solution to the problem of the Syrian territories currently occupied by Israel. Our country hopes that the development of constructive negotiations in that direction will come to complement and unify the current process of negotiations between Israel and Palestine.

Finally, my country, in its capacity as a non-permanent member of the Security Council, believes this to be an appropriate occasion to reaffirm its traditional and historical policy in favour of peace and international security through dialogue and negotiations that guarantee the timely implementation of the resolutions of the Security Council and the General Assembly of the United Nations and the full observance of international law.

Mr. Cabral (Guinea-Bissau) (*interpretation from French*): I would like to thank you, Mr. President, and ask you to convey our thanks to your predecessor, our colleague and friend Ambassador Mahugu of Kenya, for the competence and talent with which he presided over the work of the Council in February.

Every one of us bears an indelible memory of the image of that handshake, in Washington in September 1993, between the President of the Palestinian Authority, Mr. Yasser Arafat, and the then Prime Minister of Israel, Mr. Yitzhak Rabin, who was assassinated in so cowardly a manner in October 1995.

That day the whole world bore witness to an event whose historical significance transcended the geographical confines of the Middle East and the destiny of the peoples involved. We felt then that we were experiencing an extraordinary moment, and were virtual eye-witnesses to a major turning point in the tortured history of Arab-Israeli relations. We thought that a new page had been turned, bearing in bold capitals the inscription "Peace, Reconciliation and Coexistence" — words that had been absent for so long from daily human discourse in that part of the world, because they had been drowned out by the deafening thunder of guns and the indiscriminate blast of bombs.

Our hopes knew no bounds. We were surprised to find ourselves dreaming of friendship and harmony between the Arab and the Israeli peoples. We believed in the complete withdrawal of the occupation forces and in an end to the hostilities that for so long had brought such bloodshed to that part of the world and with it had plunged so many families, on both sides, into mourning. We thought that the reasons for killing one another and for pursuing the war could not stand up to common sense and would surely yield to reason. We had hoped to see, on a horizon darkened by such great bitterness and despair, a new dawn whose glow would enlighten the hearts and minds of all in a region that had seen such grief.

To be sure, we knew that peace was not easily built, and that great difficulties could be involved in such an undertaking. But so many obstacles had been overcome and so much progress had been achieved since the October 1991 Madrid Conference that we felt safe in our belief that peace was now possible and lay within our grasp.

As in any process of this kind, goodwill and determination are needed to overcome the uncertainties inherent in the complexity of conflict. Without complete understanding of what is really at stake, of the common destiny that unites the peoples of the Middle East, lasting peace cannot be established in a region where decades of exclusion and hatred have left wounds that are difficult to heal over.

Modern history teaches us that great political courage and humanism are needed to overcome the prejudice and fear that produce in us the fear of "the other". It is the duty of every statesman and every leader to resist short-sighted pressure and to reject the ascendancy of policies that are merely political.

The Israeli Government decision to establish new Jewish settlements in East Jerusalem runs counter to the spirit of peace that now prevails in the region, and constitutes an additional obstacle to the creation of a climate of understanding, reconciliation and religious tolerance in that age-old holy city held so dear by the world's three great monotheistic religions. We must remember the sacred nature of Jerusalem in order to understand better the feelings of disagreement and opposition engendered by such a decision — which moreover is illegal, as it completely ignores the relevant Security Council resolutions.

The status of Jerusalem cannot be altered without provoking the disapproval of the international community. The measures decided upon by the Israeli Government have added to the injustice of which the people of East Jerusalem are already victims, having been evicted to make room for newcomers. The resulting demographic change and sociological imbalance have already exacerbated tension and deepened the differences between the Palestinians and the Israeli settlers.

It is up to the Israeli Government to show restraint and to respect the rights of the Palestinians, many of whom, having had their property confiscated, are living in conditions that are intolerable and that violate their rights. Under the Fourth Geneva Convention of 1949 relative to the Protection of Civilian Persons in Time of War, Israel must shoulder its responsibilities as the occupying Power. Building new Jewish housing in the southern part of East Jerusalem, in the Jabal Abu Ghneim area, where Arabs have always lived, is senseless provocation, for it is taking place at the very time when a new phase of negotiations is beginning following the recent agreement on Hebron. The Israeli Government must reverse its decision, for the status of Jerusalem and all related questions must be the subject of discussions in the framework of the dynamic of peace that is already under way.

For decades, the international community has sought a solution to the Middle East conflict. If a settlement is to be conclusive and lasting, it must result in full enjoyment by the Palestinians of all their rights. The peace process — some of whose vagaries we have already mentioned in order to show how necessary it is that it be consolidated — must continue on the terms agreed upon by the Palestinian National Authority and the Israeli Government. The pace and timetable must be maintained; everything must be done to ensure that the rights of all parties are taken into account, with respect for the principles of justice and equity. The well-being of the Jewish inhabitants of Jerusalem cannot be achieved at the cost of the Palestinians being driven from their land. We absolutely must correct the political and socio-economic imbalances caused by 30 years of occupation.

In the Middle East as everywhere else, an end to hostilities does not mean a return to peace. That requires sincere commitment and exceptional abilities, not the least of which is political courage. Will the Israeli leaders be able to heed the call of the Security Council and act accordingly?

Guinea-Bissau considers that the peace process must continue, and must enjoy the unwavering support of the international community. The Palestinian National Authority and the Israeli Government must try to overcome all the obstacles to bring about a conclusive peace based on respect for the inalienable rights of one and all.

The history of the Middle East will record the heroic sacrifices of those who have not hesitated to overcome their own prejudices and oppose the ignorance and intolerance of extremists of all stripes to show us the path to follow: the path of dialogue, negotiation and the peaceful settlement of disputes, which has been so forcefully advocated by the United Nations and so long desired by the peoples of the region.

We must hope that the supreme sacrifice of those who have given their lives for the cause of peace in that part of the world will continue to illuminate and inspire the political leaders and the peoples of the region in their quest for peace, justice and a better life for all.

The President: I thank the representative of Guinea-Bissau for the kind words he addressed to me and, through me, to Ambassador Mahugu.

Mr. Richardson (United States of America): We meet today at a moment of great promise and great challenge in the Middle East peace process. There can be no doubt of the extraordinary progress made by the parties in their talks to date.

In January, after intense negotiations, the Government of Israel and the Palestinian Authority reached an agreement on Israeli withdrawal in Hebron, one of the most contentious and divisive issues discussed by the parties to date. That accord has now been implemented and a road map for future progress on such issues as further redeployment, the Gaza airport, safe passage, and economic matters has been agreed to.

In February, the Government of Israel made good on its pledge to release dozens of Palestinian women prisoners in a further measure to respect prior agreements and build confidence. In the coming weeks and months, we fully expect the parties to proceed with further steps designed to advance the peace process, including additional Israeli redeployments from areas of the West Bank.

What these developments underscore is that the parties retain the will, the commitment and the ability to move forward, despite the considerable obstacles they face. Most significantly, these achievements have come about because the parties remain dedicated to the single most important principle upon which the Madrid process was based: that there is no substitute for direct negotiations between the parties.

Unfortunately, the announced decision of the Government of Israel on the proposed Har Homa settlement construction in East Jerusalem does not accord with the progress the parties have achieved to date. The United States is concerned by the decision announced by the Israeli Government. As President Clinton said on Monday, the United States would prefer that the Har Homa decision had not been made. We believe that this decision undermines the trust and confidence that is so badly needed if a lasting peace is to be achieved. We know the sensitivity of the issue of Jerusalem, and it is precisely because mutual confidence is needed to deal with the permanent status questions that we would have preferred this decision not to have been taken.

The international community has a responsibility too. We must respect the will and the commitment of the parties to move forward together along their chosen path of negotiations. We must offer our support and encouragement at every turn, just as the General Assembly has each year in its annual resolution in support of the Middle East peace process.

All parties share the goal of finding ways to advance peace. We must do everything possible to foster a supportive environment for permanent status negotiations, which will begin later this month. We must be especially sensitive to any actual or implied interference in these negotiations. Such interference can only provoke mistrust and harden the positions of both sides, which will make further progress much more difficult. The Security Council has a special responsibility in this regard.

I believe all of us in this Chamber want the same things. We want to see continued progress in the Middle East peace process. We want to encourage the parties to resolve their differences directly, among themselves, without resort to force or the threat of violence. Our goal is a just, comprehensive and lasting settlement to the conflict in the Middle East. Let me reiterate our view that it is critically important that the parties and the Council remain focused on the need to sustain and enhance progress towards this goal. At a time when permanent status negotiations are scheduled to resume, we should not take any action that would detract from this objective and which would make the tasks of the parties that much more difficult.

The Council should keep these long-term goals in mind as we consider the steps before us. As members of the international community, we seek to assist the parties to build a peaceful, prosperous and secure future in the Middle East.

The President: I shall now make a statement in my capacity as the representative of Poland.

As I am speaking at the end of this part of today's meeting, and as we share many of the views and opinions presented so far by the members of the Council and associate ourselves with the statement to be delivered by the delegation of the Netherlands on behalf of the

European Union, I should like to limit myself to the presentation of the fundamental elements of the Polish position on the present situation in the occupied territories.

First, we believe that there is no alternative to the peace process in the Middle East. Therefore, the Polish Government welcomes every manifestation of progress in the peace negotiations between the Israeli and the Palestinian sides, as in the case of the successful conclusion of the agreement on the redeployment of Israeli soldiers from Hebron. It is extremely important that the entire peace process be implemented smoothly and in a way that would help to enhance confidence among the parties. That is why we encourage the parties strictly to abide by the agreements already reached and to continue their efforts to advance the peace process.

Secondly, we hold the strong view that all sides should refrain from any action that could have negative implications for the peace process. The recent decision by the Israeli Government to approve the construction of the Jabal Abu Ghneim/Har Homa settlement in East Jerusalem, if carried out, poses a danger to the peaceful future of the region. We join others in appealing to the Israeli Government to reconsider its position. Existing international obligations and commitments should be respected. This is of paramount importance on the eve of the resumption of the final status negotiations.

Thirdly, the Polish Government is aware of the efforts undertaken by several States aimed at defusing the present tension and safeguarding the achievements of the peace process. We welcome and support these initiatives, and we call upon the parties to cooperate.

Finally, the Polish delegation is convinced that the Security Council should send an appropriate message to the parties reaffirming its interest in the situation in the occupied Arab territories and calling upon them to overcome the predicament in which the peace process has found itself in recent days.

I now resume my functions as President of the Security Council.

I should like to inform the Council that I have just received a letter from the representative of the Philippines in which he requests to be invited to participate in the discussion of the item on the Council's agenda. In conformity with the usual practice, I propose, with the consent of the Council, to invite that representative to participate in the discussion, without the right to vote, in accordance with the relevant provisions of the Charter and rule 37 of the Council's provisional rules of procedure.

There being no objection, it is so decided.

At the invitation of the President, Mr. Mabilangan (Philippines) took the seat reserved for him at the side of the Council Chamber.

The President: The next speaker is the representative of Norway. I invite him to take a seat at the Council table and to make his statement.

Mr. Bjørn Lian (Norway): Today's meeting of the Security Council comes at crucial point in the Middle East peace process. Last year saw serious difficulties in that process that at long last now seemed to have been overcome. The signing and swift implementation of the Hebron protocol in January was a long- awaited, practical reconfirmation by the parties of their commitment to the Oslo accords. We were gratified that the parties had yet again demonstrated their capacity to transcend disagreements and conclude agreements. The United States deserves particular praise for its active support during that negotiation process.

The consequent establishment of a multilateral observer corps in Hebron, manned by personnel from Denmark, Italy, Norway, Sweden, Switzerland and Turkey, also served to underline the undiminished international support for the parties in their quest for peace. And with the resumption of talks last month on outstanding issues in the Interim Agreement, lost momentum was regained and confidence rebuilt in the Middle East peace process.

Against this background, Norway is deeply concerned by the decision taken by Israel's Government to establish a new settlement in Jabal Abu Ghneim/Har Homa in East Jerusalem. Such settlement activities would not only contravene the present legal status of East Jerusalem but would also be in conflict with the spirit of the Oslo agreements. At this critical juncture of the peace process, when negotiations on final status issues are to be initiated shortly, it is more important than ever that the parties show restraint.

My authorities therefore urge the Israeli Government to reconsider its decision. And we call upon both Israel and the Palestinian Authority to refrain from any action that could change the facts on the ground and thus

preempt the outcome of the negotiations on the final status of Jerusalem.

Rather than making unfortunate unilateral decisions, the parties should now promote understanding between their peoples and advance the negotiations towards a peaceful settlement. We see this as their moral and political obligation. The international community thus expects the parties to follow the challenging course set out by the Declaration of Principles and the subsequent agreements. While difficult problems remain, the rewards will be high in terms of prospects for lasting peace as well as economic prosperity and well-being for their peoples.

The President: The next speaker is the representative of Turkey. I invite him to take a seat at the Council table and to make his statement.

Mr. Çelem (Turkey): The Turkish Government is seriously concerned about the latest decision of the Israeli Government to approve a housing construction project in the Jabal Abu Ghneim region of Al-Quds Al-Sharif, in defiance of the relevant Security Council and General Assembly resolutions. Although it is sugar-coated with the simultaneous approval of scattered housing construction projects for the Arab population of Al-Quds, everyone is aware that the Israeli Government views this project as a method to preempt the outcome of the negotiations on the final status, particularly on the future of the Holy City — equally holy for all three monotheistic religions.

The tragic events of last September, following another decision of the Israeli Government regarding a holy site — again in Al-Quds — are still vivid in our minds. The chain of reactions provoked by that decision to open an archaeological tunnel passing under the Al-Aqsa Mosque complex should have taught a lesson to all the parties involved on what not to do at this critical point in time.

Unilateral actions that may adversely affect the peace process must be avoided at all costs. So far, much has been achieved in peacemaking between the Arabs and the Israelis, leading very recently to the protocol on Al-Khalil and finally clearing the way for the final-status talks, which will also include the negotiations on the future of Al-Quds Al-Sharif. At a time when the commitment demonstrated by the Israeli Government to the established parametres of the peace process was rekindling our hopes for the future of the Middle East, the decision to allow construction in Jabal Abu Ghneim has once again caused deep worries about the success of the process. Any decision that could affect the outcome of the final-status talks should not even be considered until the successful conclusion of the talks.

How long can such vacillations continue before the process is dealt a blow from which it cannot recover? The future not only of Al-Quds Al-Sharif, but of the entire Middle East peace process, hangs in the balance. In this vein, I wish to reiterate Turkey's unwavering support for and belief in the Middle East peace process, which we deem the only rational path leading to a just, comprehensive and lasting peace in the region. To achieve this goal, we expect the parties to contribute positively to the process on the basis of Security Council resolutions 242 (1967) and 338 (1973).

Therefore, my Government urges the Government of Israel to reconsider and reverse its policy of resuming such settlement activities in Jabal Abu Ghneim and other occupied areas.

The President: The next speaker is the representative of Lebanon. I invite him to take a seat at the Council table and to make his statement.

Mr. Moubarak (Lebanon) (*interpretation from Arabic*): May I first congratulate you, Sir, on your accession to the presidency of the Council for this month. May I also pay tribute to your predecessor, the Permanent Representative of Kenya, for his work as President of the Council last month.

I would like to express our deep concern at the persistence with which Israel, as an occupying Power, is continuing to pursue illegal policies and measures in the occupied Palestinian territories, including Jerusalem, as well as in the occupied Syrian Arab Golan. In particular, Israel persists in establishing settlements in violation of the Fourth Geneva Convention of 1949, the Hague Rules of 1907, the 24 resolutions of the Security Council regarding settlements and the resolutions of the General Assembly on this matter. Such acts also seriously endanger the peace process in general.

After the Madrid Peace Conference in 1991 laid the foundation of the peace process, we had hoped to see a new dawn in our region in which a just and lasting peace could take root. The Arabs participated sincerely in this process, but Israel's persistent policy of establishing settlements, expanding and confiscating lands have dashed those hopes. The new Israeli Government has now dealt a virtually fatal blow to those hopes by declaring

explicitly its retreat from its obligations under the peace process.

This Government makes settlement an integral part of its policy priorities and no longer wishes to resume the peaceful negotiations that had been taking place despite the obstacles. This Government has taken serious new steps to annex East Jerusalem. For the third time in seven months, the Security Council is compelled to focus on Israel's illegal measures that have been adopted in regard to occupied East Jerusalem that seek to enshrine policies aimed at changing the legal status of that city and its demographic composition.

A few days ago, the Israeli authorities announced their decision to create a new settlement with 6,500 housing units in the southern part of East Jerusalem, particularly in Jabal Abu Ghneim. This is in the context of a series of similar Israeli measures, including the declaration of intent regarding the establishment of another settlement at Ras al-Amud, within the original municipal borders of East Jerusalem. The Israeli authorities have also demolished the building belonging to the Burj al-Laqlaq association within the Old City, thus opening the way to the creation of new settlements in that building's place.

All of this is a prelude to a gradual, progressive campaign of expelling Palestinian Arabs from Jerusalem. We have always warned that such Israeli policies and illegal expansionist measures in Jerusalem, are of an extremely serious nature. Jerusalem is a city of vital importance to the Arab, Muslim and Christian worlds, as well as to the international community and the three revealed religions.

Similarly, the Israeli authorities continue to keep the tunnel under Haram al-Sharif open, despite Security Council resolution 1073 (1996).

We would therefore reaffirm the following. First, we are in full solidarity with the Palestinian people, who refuse to bend to occupation, under any occupying Power whatsoever. Secondly, the current problem has not come unannounced; it is the natural result of the current Israeli Government's ideology and policies. Consequently, in order to address this problem, it is necessary for the international community, as represented by this Council, to adopt a clear position. This position must make it clear to the Israeli Government that the international community rejects its attempts to annex occupied Arab territories, including East Jerusalem, as well as its settlement operations and activities in those territories.

In calling for such a position, we wish it to be in the service of peace in the region. The indulgence hitherto shown the Israeli leaders has led to destruction and violence for the Arab and Israeli peoples alike. Our stance here is in keeping with all previous Security Council resolutions and with international law. It is also in keeping with the most noble concepts of international law, which still constitutes the basic pillar of today's civilized world.

We believe that it is the duty of this Council to place on equal footing all the decisions that it has adopted to date and that it will adopt regarding the Middle East and other regions of the world. We will never forget Council resolutions 252 (1968), 267 (1969), 271 (1969), 298 (1971) and 476 (1975), according to which all Israel's legislative and administrative measures and activities in Jerusalem are null and void as well as illegal.

Today, we call for a resolution clearly expressing the international community's rejection of and opposition to Israel's policies and measures aimed at annexing Jerusalem and expanding settlements. In this resolution, we must insist on specific measures that would lead Israel to respect international law. We also call for a clear-cut position that reflects the international community's commitment to seeking peace in conformity with the Madrid principles, particularly that of land for peace. We are called upon here to shoulder our historic responsibilities, because time is no longer on the side of peace. Events in the region threaten to cause everything to explode, both there and elsewhere.

Thirdly, the argument continually used by the Israelis in order to justify their expansionist and settlement measures and upon which the various Israeli Governments have based their actions no longer holds. These measures have led to violence and increased tension between Arabs and Israelis. How, indeed, can one establish peace under continued occupation? A *fait accompli* peace, imposed by force, is not viable and is destined to fail. True peace is within our reach, provided that it is founded on bases agreed upon by all.

We established these bases and foundations in Madrid. The most important among them are those that call for land for peace and full implementation of the resolutions of international law demanding Israel's withdrawal from the occupied Arab territories, including Jerusalem and the Golan, to the lines of 4 June 1967, in keeping with Security Council resolutions 242 (1967) and 338 (1973), as well as from Lebanon to the

internationally recognized Lebanese borders, in keeping with resolution 425 (1978). The half-measures adopted in the context of the peace process do not exempt Israel from its responsibility or from the pressure of international public opinion and the views of the international community as a whole. The latter should not allow Israel to move forward with its vast occupation plans.

Last, we would call on the two States sponsoring the peace process in the Middle East to play a key role by convincing Israel to postpone and cancel its decision to build settlements at Jabal Abu Ghneim, to reverse and definitively abandon these projects, to adopt measures to accelerate the peace process as a whole and to return to the point at which this process stopped, basing itself on the Madrid principles and on the principle of exchanging land for peace in keeping with resolutions 242 (1967), 338 (1973) and 425 (1978).

Today, it is imperative that the two sponsors of the peace process act to ensure that peace is relaunched, in keeping with the principles agreed upon in Madrid, with the goal of achieving a just and lasting global peace in the region. We would also, through this Council, call on all those who are actively involved to work seriously and take decisive and prompt measures to convince Israel to return to the agreements of Madrid as a frame of reference.

The President: The next speaker is the representative of Yemen. I invite him to take the seat reserved for him at the Council table and to make his statement.

Mr. Al-Ashtal (Yemen) (*interpretation from Arabic*): At the outset, I would like to extend to you, Sir, our sincere congratulations on your assumption of the presidency of the Security Council for this month. I am confident that you will ably conduct the work of the Council. I would also like to thank your predecessor, the Ambassador of Kenya, for his excellent guidance of the work of the Council in February.

The Security Council meets today in the face of serious developments which imperil peace and security and threaten to return the Middle East to the vicious circle of conflict, tension and instability. The Israeli Government's decision on 26 February to built a new Jewish settlement at Jabal Abu Ghneim, south of the Arab city of Jerusalem, is a new and acute crisis that threatens the peace process, which has already been shaken several times since the Likud party came to power.

The decision of the Israeli Government is a clear violation of the principles upon which the peace process was based and of all international laws and resolutions, and in particular Security Council resolutions 242 (1967), 252 (1968) and 338 (1973), which reaffirm the illegality and illegitimacy of confiscating land by force and which decide all actions and measures taken by Israel, including the confiscation of land and property, to be null and void. Such actions cannot change the status of the city of Jerusalem.

Furthermore, the Israeli actions run counter to the letter and spirit of the peace agreements signed between Israel and the Palestinian party.

They also pre-empt the final-status negotiations and constitute an attempt to impose a *fait accompli* on Al-Quds Al-Sharif, one of the most important issues of the peace process.

When the Arab Group addressed its letter to the President of the Security Council before Israel took the decision to build a new settlement, it did so in the hope that the Security Council would take pre-emptive action to compel Israel to put a halt to the Jabal Abu Ghneim project. The Council did not act expeditiously, however. Now that the Israeli Government has taken that decision and is prepared to use force in order to implement it, the Security Council is required once again to make a clear pronouncement reaffirming the illegality of the confiscation of land by force and calling upon Israel to reverse its decision and to cease all provocative action that could threaten the peace process and the security of the region.

The position of the Republic of Yemen with regard to Israel's decision to build a new settlement is summarized in the following statement issued by the Ministry for Foreign Affairs in Sanaa:

> "The Republic of Yemen follows with grave concern the Israeli decision to build a new Jewish settlement in occupied East Jerusalem. This represents a further escalation by Israel that will create tension in the region and is an expression of Israel's ill-intentioned design to destroy and hinder the peace process. It also represents Israel's complete disregard of all the agreements it has concluded with the Arabs to promote the peace process.

"This new Israeli provocation and escalation does not contribute to establishing an environment of confidence. Rather, it pushes the region once again into an atmosphere of confrontation and instability.

"While strongly denouncing and condemning this Israeli action, the Republic of Yemen calls upon the Security Council and all States concerned with the peace process in the region — foremost among which are the United States of America and the European countries — to bring pressure to bear on Israel to reverse this serious and provocative decision.

"The Republic of Yemen once again reiterates its firm position on the peace process and the importance of establishing a just and comprehensive peace based on the restoration of all legitimate Arab rights and the end of the Israeli occupation of all occupied Arab territories in Palestine, the Golan and southern Lebanon.

"The eyes of the world, in particular in the Middle East, are focused on the Security Council in the hope that it will shoulder its responsibility and advance the peace process on the basis of its own resolutions, which form the framework of all agreements, including those signed between Israel and the Palestinians. We call on the Security Council to move speedily to avert all the dangers and impel the peace process forward."

The President: The next speaker is the Chairman of the Committee on the Exercise of the Inalienable Rights of the Palestinian People. I invite him to take a seat at the Council table and to make his statement.

Mr. Ka (Senegal) Chairman of the Committee on the Exercise of the Inalienable Rights of the Palestinian People (*interpretation from French*): At the outset, I wish to congratulate you warmly, Sir, on your assumption of the presidency of the Security Council for the month of March. I am sure that under your enlightened guidance the Council's work will be very successful. I would also like to take this opportunity to congratulate your predecessor, Ambassador Mahugu, Permanent Representative of Kenya, for the exemplary manner in which he presided over the work of the Council in February 1997.

I should like to thank the members of the Council for giving me this opportunity, as Chairman of the Committee on the Exercise of the Inalienable Rights of the Palestinian People, to participate in this important debate on the decision taken by the Israeli authorities to build housing for Jewish settlers in the area of Jabal Abu Ghneim in the southern part of East Jerusalem.

Our Committee vehemently deplores this decision, which is a violation of international law, the Fourth Geneva Convention and many relevant Security Council and General Assembly resolutions on the situation in occupied Palestine. The decision was particularly untimely in that on 15 January the Israeli Government and the Palestine Liberation Organization had reached agreement on redeployment in Hebron; that agreement, which was regarded as a major event by the international community, had given new impetus to the peace process.

The decision of the Israeli Government runs counter to the letter and the spirit of the Declaration of Principles on the Interim Self-Government Arrangements, which the Israeli Government and the Palestine Liberation Organization signed on 13 September 1993, as well as to agreements reached later, particularly the Interim Agreement on the West Bank and the Gaza Strip, signed in September 1995.

Moreover, this decision, along with the closing of four Palestinian offices in East Jerusalem, has come at a time when the Israeli army continues to seal off Palestinian territories and is delaying its withdrawal from some sectors in the West Bank, thereby jeopardizing the continuation of the peace process. As these measures were taken just before the new stage of negotiations on Jerusalem, they seem to take on the character of *fait accompli*. In short, this decision undermines the credibility of the entire peace process and has created undesirable tensions in the region at this crucial stage of the status negotiations on the final status of the Palestinian territories.

This new attempt to Judaize Jerusalem, coming after the attempt in May 1995 and the various confiscations of Palestinian land to establish or expand Israeli settlements, have all provoked the general disapproval of the international community and confounded sensibilities.

The sponsors of the peace process, as well as the European Union, the League of Arab States and the Organization of the Islamic Conference, have all unanimously condemned this policy. The Organization of African Unity, whose Council of Ministers was meeting at the time, also adopted a resolution reflecting the concerns of the international community.

The Committee on the Exercise of the Inalienable Rights of the Palestinian People, through me, would like to associate itself with this great movement in order urgently to call upon the Israeli Government to refrain from altering the physical character, the demographic composition and the institutional structure of the city of Jerusalem and the status of the Palestinian territories and other Arab territories occupied since 1967. It calls upon Israel above all to implement quickly and comprehensively the agreements already concluded between Israel and the Palestine Liberation Organization in order to create the necessary conditions for a just and lasting settlement on the basis of Security Council resolutions 242 (1967), 338 (1973), 465 (1980) and 478 (1980).

The Committee believes that real political will is essential to relaunching the peace process and to preventing the current situation from deteriorating further, thus damaging the efforts of many persons of good will to establish an era of peace and stability in the Middle East.

As has been forcefully reaffirmed by previous speakers, if we wish to achieve reconciliation, establish a commonality of interests and realize the desire to live shared by the Palestinian and Israeli parties, there is no alternative to the agreements already reached.

History has often shown us over the course of the centuries that attempts to impose demands solely by force can only unleash a bloodbath and are usually doomed to failure. The sooner the Israeli leaders recognize that peace and stability are based on compromise and that mutual interests and the establishment of a partnership cannot be imposed unilaterally, the better it will be for all the peoples of the region. The policies and attitudes of the occupier and the denial of the legitimate rights and aspirations of the Palestinian people are incompatible with efforts to pursue the current peace process.

In convening this meeting, the members of the Security Council have shown that the decision taken by the Israeli Government is a source of major concern for the international community as a whole. The Committee on the Exercise of the Inalienable Rights of the Palestinian People therefore hopes that, at the end of this debate, the Council will demonstrate to world public opinion its unshakable will to annul the Israeli decision to build housing for Jewish settlers in Jabal Abu Ghneim and to put an end to the policy of the Judaization of the Holy City of Jerusalem, a symbol of peaceful coexistence of peoples and religions.

It is time for all the peoples of the region, who have brought such transcendental messages to the world, to learn to live together, respect one another and create the necessary conditions for peace and trust, the benefits of which will redound to the entire region.

The President: There are further speakers on my list. In view of the lateness of the hour, and with the consent of the Council, I intend to suspend the meeting now.